

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
ALBERT T. BEANE, JR., and all others
similarly situated,

Plaintiffs,

ECF Case

v.

07 Civ. 9444 (RMB) (GWG)

THE BANK OF NEW YORK MELLON,
BNY CONVERGEX EXECUTION
SOLUTIONS LLC and CALLAN
ASSOCIATES, INC.,

Defendants.
-----X

MOTION TO ADMIT COUNSEL PRO HAC VICE

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, David S. Preminger, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of J. Brian McTigue, McTigue & Porter LLP, 5301 Wisconsin Ave., NW, Washington, DC, 20015, (phone) (202) 364-6900, (fax) (202) 364-9960, jmctigue@mctiguelaw.com.

J. Brian McTigue is a member in good standing of the Bars of the District of Columbia and the State of California. There are no pending disciplinary proceedings against J. Brian McTigue in any State or Federal Court.

Dated: New York, NY
November 17, 2007

Respectfully submitted:
Rosen Preminger & Bloom LLP

By: 

David S. Preminger (DP-1057)
708 Third Avenue, Suite 1600
New York, NY 10019
Telephone: (212) 682-1900
Facsimile: (212) 867-6878

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**DECLARATION OF DAVID S. PREMINGER
IN SUPPORT OF MOTION TO ADMIT
COUNSEL PRO HAC VICE**

David S. Preminger declares pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the firm of Rosen Preminger & Bloom LLP, co-counsel for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit J. Brian McTigue as counsel pro hac vice to represent Plaintiffs in this matter.
2. I am a member in good standing of the bar of the state of New York, and was admitted to practice law on March 12, 1973. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. While I have not yet met J. Brian McTigue, I am familiar with his practice. We have both been involved in complex ERISA class action litigation representing plaintiffs and Mr. McTigue is currently admitted pro hac vice in two other cases on which we are working together

in the Southern District of New York: *Young v. General Motors Investment Corp.*, 07 Civ. 1994 (BSJ); and *Brewer v. General Motors Investment Management Corp.*, 07 CV 2928 (LAK).

4. Mr. McTigue is a member of McTigue & Porter LLP in Washington, DC.

5. I have found Mr. McTigue to be a skilled attorney and a person of integrity as attested to by the certificates of good standing attached as Exhibit 1. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of J. Brian McTigue, pro hac vice.

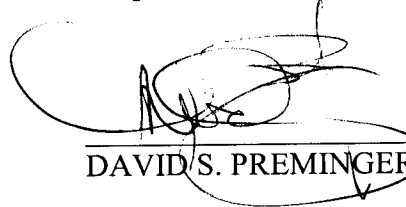
7. I respectfully submit a proposed order granting the admission of J. Brian McTigue, pro hac vice, which is attached as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit J. Brian McTigue, pro hac vice, to represent Plaintiffs in the above captioned matter, be granted.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 17, 2007 in New York, New York

Respectfully submitted,



DAVID S. PREMINGER (DP 1057)



THE
STATE BAR
OF CALIFORNIA

180 HOWARD STREET
SAN FRANCISCO, CALIFORNIA 94105-1639
TELEPHONE (415) 538-2000

October 26, 2007

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JAMES BRIAN MCTIGUE, #087224 was admitted to the practice of law in this state by the Supreme Court of California on July 18, 1979; that from the date of admission to May 6, 1986, he was an ACTIVE member of the State Bar of California; that on May 6, 1986, he transferred at his request to the INACTIVE status as of January 1, 1986; that from that date to July 6, 1987, he was an INACTIVE member of the State Bar of California; that on July 6, 1987, he transferred at his request to the ACTIVE status; that from that date to March 3, 1995, he was an ACTIVE member of the State Bar of California; that on March 3, 1995, he transferred at his request to the INACTIVE status as of January 1, 1995; that from that date to June 9, 1997, he was an INACTIVE member of the State Bar of California; that on June 9, 1997, he transferred at his request to the ACTIVE status; that he has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert
Custodian of Membership Records



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

JAMES BRIAN MCTIGUE

was on the 11TH day of JANUARY, 2002

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on November 5, 2007.

GARLAND PINKSTON, JR., CLERK

By:

A handwritten signature in cursive script, appearing to read "Garland Pinkston", written over a horizontal line.

Deputy Clerk

CERTIFICATE OF SERVICE

I, Veronica Scanlon, hereby certify that on the date set forth below, a copy of the foregoing Motion to Admit Counsel Pro Hac Vice and Supporting Papers was served on Thomas A. Arena, Milbank, Tweed, Hadley & McCloy LLP, One Chase Manhattan Plaza, New York, NY 10005-1413, attorneys for defendants The Bank of New York Mellon and BNY Convergenx Execution Solutions LLC, and Paul Blankenstein, Gibson, Dunn & Crutcher LLP, 1050 Connecticut Avenue, NW. Washington, DC 20036, attorneys for defendant Callan Associates, Inc., by first class mail.

Dated: New York, NY
November 19, 2007


VERONICA SCANLON